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**UNITED STATES DISTRICT COURT**

**DISTRICT OF OREGON**

**PORTLAND DIVISION**

TYLER MILLER, an individual,

Plaintiff,

vs.

Case No. 3:23-cv-00293-

DECLARATION OF TYLER MILLER

HENRY HEIMULLER, in his official capacity  
as Board Member of the Columbia 9-1-1  
Communications District; BRUCE HOLSEY,  
in his official capacity as Board Member of the  
Columbia 9-1-1 Communications District;  
JEFF FLATT, in his official capacity as Board  
Member of the Columbia 9-1-1  
Communications District; and SHELLEY  
HENNESSY, in her official capacity as Board  
Member of the Columbia 9-1-1  
Communications District,

Defendants.

**DECLARATION OF TYLER MILLER**

I, Tyler Miller, declare as follows:

1. I am over the age of 18. Unless otherwise noted, I declare the following based on personal knowledge. If called upon to do so, I would testify truthfully as follows.

2. I am an Oregon citizen and I reside in Scappoose, Oregon.

3. In 2020, I was elected to the Scappoose City Council. I am the council appointed 9-1-1 communications liaison between the Scappoose City Council and the Columbia 9-1-1 Communications District (the "District"). I provide the City Council with updates after District meetings.

4. The District conducts public board of director meetings once a month and has done so regularly for many years. It currently meets, at a minimum, on the fourth Thursday of each month. The District also calls Special Meetings and Advisory Committee meetings on a regular basis. The next scheduled public District Meeting is set to occur on March 23, 2023.

5. I have attended over 100 of the District's meetings since 2015. Until the events described in this lawsuit, neither the District, nor any of its directors, has taken any action against me in relation to my attending those meetings (or otherwise).

6. On January 11, 2023, I attended a District meeting. During that meeting, the board members, including Defendants, discussed two significant proposals: giving Motorola the opportunity to submit a sole-source contracting proposal, and merging the Columbia 9-1-1 Communications District with Washington County's 9-1-1 systems.

7. After the meeting, that same day, I requested to meet with the board member that represents the District Zone containing the City of Scappoose. When that member did not reply, I sent an email to the other board members. A true and correct copy of that email dated January 11, 2023, is attached hereto as Exhibit 1.

8. Attached hereto as Exhibit 2 is a true and correct copy of a letter from the District's outside counsel to the Scappoose City Council, dated January 18, 2023.

9. Attached hereto as Exhibit 3 is a redacted version of a true and correct copy of an

email from the Scappoose City Attorney to the District's outside counsel, dated January 18, 2023.

10. Attached hereto as Exhibit 4 is a true and correct copy of a letter from the District's lawyer to the Scappoose City Attorney, dated January 20, 2023.

11. Attached hereto as Exhibit 5 is a true and correct copy of a post that I published on my Tyler Miller: Scappoose City Council Facebook/Meta account, dated February 17, 2023.

12. During a February 23, 2023 meeting, the District Board of Directors, including Defendants, voted to ban me from attending any District meetings in person. The Board directed legal counsel to send me a letter informing me of the ban. I witnessed the vote to ban me, as I attended the February 23, 2023 meeting by Zoom, rather than in person, due to hazardous driving conditions.

13. Attached hereto as Exhibit 6 is a true and correct copy of a letter from the District's lawyer, dated February 23, 2023 (the "Letter"). I received the Letter by email from the District's lawyer on the same date. The following day, I discovered another copy of the Letter taped to the front door of my residence.

14. I have never engaged in the conduct alleged in the Letter.

15. I would like to attend all future District Meetings in person, as I have done consistently since 2015 (with the exception of the COVID-19 public health emergency). Doing so is important to my role as 9-1-1 Communications liaison to the City of Scappoose City Council.

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16. On Zoom, the District directors frequently leave their cameras off, making it impossible to observe them or evaluate their credibility, or sometimes to even know who is speaking.

I declare under penalty of perjury that the foregoing is true and correct, and that I executed this declaration on February 28, 2023, at Scappoose, Oregon.

  
Tyler Miller

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